

State of Indiana

June 2019 Settlement Manual



Auditor of State
Tera Klutz, CPA

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Settlement Filing Information

Settlement forms are distributed by and submitted to the Local Government Division through use of the Auditor of State FTP site (the “AOS FTP Site”) at: <https://aosftp.auditor.in.gov>. These forms will be accessed through the AOS FTP Site by selecting your county folder and clicking on the “Settlements” folder, then “From Settlements”. Completed forms will be submitted through the same site by selecting on county folder and clicking on the “Settlements” folder, then “To Settlements”. If you do not receive notification of review within 24hrs of submission, please contact LocalGovernment@auditor.in.gov.

The following documents must be submitted through the AOS FTP site when the June settlement is filed with the AOS:

- [Form 105 Settlement Sheet](#)
The Form 105 is an Excel worksheet provided by the Auditor of State (the “AOS”). You may use a property tax software generated form that has been approved by the AOS if it identical to the form provided the AOS.
- [Form 49TC](#)
The Form 49TC is an Excel worksheet provided by the AOS. You may use a property tax software generated form that has been approved by the AOS if it identical to the form provided by the AOS.
- [Form 17TC](#)
The Form 17TC is only filed if property tax refunds are deducted. The Form 17TC is an Excel worksheet provided by the AOS. You may use a property tax software generated form that has been approved by the AOS if it identical to the form provided by the AOS.
- [Form 102 Apportionment Sheet](#)
The Form 102 is an Excel worksheet provided by the AOS. You may use a property tax software generated form that has been approved by the AOS if it identical to the form provided by the AOS.
- [Excise Tax Allocation Worksheet](#) must be submitted.
[Excise Tax Reconciliation Worksheet](#). This is an Excel worksheet provided by the AOS.
- [Quietus Worksheet](#) is to be completed, provided, and approved as a part of the settlement approval process.
- Settlement Checklist is to be completed, balanced, and provided as a part of the settlement approval process.
- Distribution/Circuit Breaker Rates Listing from your property tax software system in excel format.

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Highlights of Settlement Issues

1. The Settlement Checklist allows county auditors to verify the settlement documentation is correct and in

balance. The checklist must be used prior to sending settlement documents for approval. While a completed checklist is not a guarantee of an accepted submission, the checks are a representation of common errors or issues that will slow down the review.

2. The [Form 105 Settlement Sheet](#) and [Form 102 Apportionment Sheet](#) include a line in Section A to report the collections of late payment penalties on unpaid special assessments.
3. The [Form 105 Settlement Sheet](#) and [Form 102 Apportionment Sheet](#) include a line in Section A to allow the county to include any pre-apportionment adjustments to the settlement. These other before apportionment adjustments may include corrections to prior settlements or any other pre-apportionment adjustments deemed necessary.
4. The circuit breaker adjusted distribution rates must be used to calculate property tax distributions by county auditors in counties where circuit breaker credit exempt referendum funds and protected funds exist. Also, Lake and St Joseph must use circuit breaker adjusted property tax rates where circuit breaker exempt debt service and lease rental funds exist. Circuit breaker adjusted distribution rates are calculated by the AOS and provided to the county auditors.

The circuit breaker adjusted distribution rates are **NOT** the Department of Local Government Finance (DLGF) certified property tax rates.

Starting in pay 2019, the circuit breaker adjusted distribution rates will be calculated in Gateway Abstract. Please contact localgovernment@auditor.in.gov regarding any questions on accessing your circuit breaker adjusted distribution rates.

5. Counties who have adopted a property tax relief income tax must include these dollars with their settlement. Please refer to the [Form 102 Apportionment Sheet](#), [Form 49TC](#), and [Form 105 Settlement Sheet](#) instructions.
6. Also included during settlement are the excise tax allocations. These include the SWETA, welfare excise tax, and school excise tax allocations. Please refer to the [Excise Tax Allocation Deductions](#) instructions.
7. LIT Operating Levy Freeze counties: The LIT operating levy freeze equivalency rates provided to you by the DLGF are to be added to the certified property tax rates when distributing excise tax dollars. These combined rates are to be used for the distribution of excise tax.
8. The [Quietus Worksheet](#) is required to be filed and approved.
9. In order to help expedite the review and approval process, please submit proper backup documentation detailing any large anomalies resulting in a significant change of reporting from the information provided on your Abstract.
10. For substantial variances in Section C Fines and Fees on [Form 105 Settlement Sheet](#) between the prior December settlement and the current settlement, provide explanations to account for the variance. This may require reaching out to the Clerk, or assembling documentation.
11. **The following forms must be received by the Auditor of State prior to review and approval:**
 - Correct spreadsheets mentioned above.
 - The completed balancing checklist.

- Confirmation of certified and circuit breaker adjusted rates used for distribution

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Remitting Funds and Approval

All funds remitted to the state must be sent electronically and received by the AOS no later than Friday, June 28, 2019. Please provide a supporting document with a breakdown and support for your remittance amounts. Please send your notifications of ACH and support to LocalGovernment@auditor.in.gov.

To receive pre-approval, the following must be submitted to and approved by the AOS:

- Correct spreadsheets listed in the [Settlement Filing Information](#) section.
- The completed balancing checklist.
- Explanations and/or documentation for substantial variances identified by the AOS.
- Confirmation of certified and circuit breaker adjusted rates used for distribution

When the above documents are approved, you will be notified of your county's pre-approval which will allow you to proceed with distributions.

After receiving pre-approval, the following must be submitted to the AOS to receive final approval:

- E-Signature [Form 105 Settlement Sheet](#) Verification sheet
- Report to State Auditor of Settlement Fines and Fees Due to the State of Indiana
 - The blank version of this form is included in the "From Settlements" folder on the FTP site, and must be filled out and signed by the county auditor.
 - The signed form should be submitted concurrently with the EFT of Section C: Fines and Fees of the [Form 105 Settlement Sheet](#).
- Full submission of the funds associated below:
 - SWETA, welfare and school Excise tax allocations due to the state
 - The Section C: Fines and Fees of the [Form 105 Settlement Sheet](#)

Notice of final settlement approval will be sent once the electronic signature 105 Form is completed and returned to the AOS through the AOS FTP site or by emailing LocalGovernment@auditor.in.gov, and all remittances have been submitted and processed by the state. Both the [Form 105 Settlement Sheet](#) and the electronically signed form will be saved at the AOS and the Indiana Archives and Records Administration. These electronic files should also be saved locally.

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Form 17TC CERTIFICATE OF COUNTY AUDITOR OF TAX REFUND CLAIMS

County auditors are not required to deduct property tax refunds in the June settlement. If property tax refunds are deducted in the June settlement, you must file the Certificate of Tax Refunds Form 17TC

with the Local Government Department.

The Form 17TC is provided by the AOS and must be used. The only exception is if your software vendor has provided an Excel worksheet identical to our electronic form 17TC.

The spreadsheet contains a “Summary” tab for the taxing district totals and a sheet (tab) for each taxing district. The taxing district totals from each taxing district sheet (tab) are automatically computed on the summary sheet (tab). The taxing district tabs are labeled A(1) through A(75). Instructions on how to rename the taxing district tabs A(1) through A(75) to your taxing district names are included below. If you need more than 75 taxing district sheets please contact AOS.

Entering County Name and Tax Year to Summary Sheet

To enter the county name and settlement year to the Summary Tab, enter the following information:

- Where the words “[Enter County Name Here](#)” appears in blue (cell A6), enter the county name.
- Where the words “[Enter Tax Year Here](#)” appears in blue (cell A9), enter the year of the settlement.
- The County Name and Tax Year will be automatically updated on each individual taxing district sheet.

To Rename Taxing District Tabs

To rename the tabs beginning with Tab A(1) to your taxing district names do the following:

- Right clicking on the tab
- Select “Rename”
- Type the taxing district name and press enter

Continue this process until you have renamed a tab for every taxing district.

To complete the data for each taxing district, enter the following information:

Entering Taxing District Name to Individual Taxing District Sheet

In the cell above where “[Enter TAXING DISTRICT Above](#)” appears in blue (cell A11), enter the taxing district name above the line on cell A10. The spreadsheet automatically copies the taxing district name to the Summary tab.

Entering Tax Refund Information to Taxing District Sheets

After you have completed the taxing district information, you can begin entering the tax refund information for individual taxpayers. If you need additional lines, please contact LocalGovernment@auditor.in.gov . We will assist you in increasing the number of lines.

Below is a description of each column and what data is to be entered.

Column One: “To Whom Paid”: Enter the name of the taxpayer who received the refund.

Column Two: “Date Paid”: Enter the date the refund was paid.

Column Three: “Warrant Number”: Enter the check number of the refund.

Column Four: “Refunded to Taxpayer”: Enter the amount refunded to the taxpayer including interest paid to the taxpayer.

- Column Five:** “Property Tax Relief Amount”: Enter the PTR amount of the refund. Almost all property tax refunds for tax years prior to payable will include PTR.
- Column Six:** “Total Refund” is the total of the Refunded to Taxpayer amount plus the Property Tax Relief Amount. The spreadsheet automatically calculates the totals for each taxing district and copies the taxing district name and totals to the “Summary Tab.”

Applying Form 17TC Data to the [Form 102 Apportionment Sheet](#)

The taxing district total of **Refunded to Taxpayer** from the Form 17TC is entered on line 4, **Less: Erroneous Tax, Penalties and Interest Refunded**, in the **Net Tax, Penalty and Interest** column of Section A of the [Form 102 Apportionment Sheet](#).

The taxing district total of the **Property Tax Relief Amount** column of the Form 17TC is entered on line 4, **Less: Erroneous Tax, Penalties and Interest Refunded**, in the **Property Tax Relief Amount** column of Section A of the [Form 102 Apportionment Sheet](#).

The taxing district total of the **Total** column of the Form 17TC should agree with the **Total** column of line 4, **Less: Erroneous Tax, Penalties and Interest Refunded** of the [Form 102 Apportionment Sheet](#), Section A.

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Excise Tax Allocation Worksheet

Prior to the calculation of the distribution of excise tax, a portion of excise tax is deducted for allocations to be sent to the Local Government Division at LocalGovernment@auditor.in.gov. The calculation of the allocations is made using the Excise Tax Allocation Deduction Worksheet provided by AOS.

At settlement, enter in the “Total Excise” column of the Excise Tax Allocation Deduction Worksheet, the excise tax available for distribution before the deduction of the excise tax allocations.

Note: All excise tax refunds must be deducted prior to the total excise being calculated.

The Excise Tax Allocation Deduction Worksheet will calculate the state welfare excise tax allocation (SWETA) deduction, the 2009 welfare excise tax allocation deduction, and the 2009 school excise tax allocation deduction based on the excise tax amount entered in the “Total Excise” column and the excise tax allocation factors entered in the SWETA, 2009 Welfare, and the 2009 School factor columns.

The final column of the Excise Tax Allocation Deduction Worksheet is the excise tax amount for distribution after the deduction of the allocations. The excise tax amount in the final column is entered in column 8 of the County Treasurer’s Certificate of Tax Collections – [Form 49TC](#). The excise tax amount in the final column of the Excise Tax Allocation Deduction Worksheet is also entered on the “License Excise Tax for Apportionment” line (line 8) of the [Form 105 Settlement Sheet](#) and [Form 102 Apportionment Sheets](#).

At the time the settlement quietus are prepared, the SWETA allocation, 2009 welfare excise tax allocation, and 2009 school excise tax allocation must be quietus to a separate fund. The quietus can be either to (i) the same

fund(s) used in prior years or (ii) the county auditor may establish new funds and quietus the excise allocations to the new funds.

At the time settlement distribution checks are issued to taxing units, the total of the excise tax allocation deductions must be sent to the LocalGovernment@auditor.in.gov.

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Excise Tax Reconciliation Worksheet

COUNTY TREASURER AND COUNTY AUDITOR EXCISE TAX RECONCILIATION AT SETTLEMENT

The Excise Tax Reconciliation Worksheet is designed to reconcile the license excise tax certified by the county treasurer to the county auditor funds ledger. Making certain the reconciliation worksheet is complete and correct will provide assurance the balance of license excise tax for the next settlement is accurate. The license excise tax amount reported by the county treasurer on the [Form 49TC](#) will be a different amount from the amount distributed by the county auditor.

Following are instructions for the amounts to be entered on each line of the County Treasurer and County Auditor Excise Tax Reconciliation Worksheet.

First enter the (i) county name in Cell C5 (ii) auditor's cut-off date in Cell F6

County Treasurer Certified Excise Tax

The amount entered on this line is the amount certified by the county treasurer on the license excise tax collected line in column 3 (cell D144) of the County Treasurer's Certification of Tax Collections [Form 49TC](#). The excise tax certified on the [Form 49TC](#) **must** be the total of all excise tax types shown in the Other Sources Section of the county treasurer's cashbook as of the date of the county treasurer's certification. The total excise tax types may include vehicle excise tax, auto excise tax, watercraft excise tax, aircraft excise tax, auto rental excise tax, and excise tax replacement and/or lottery credit. No county will have all of these excise tax types. The total excise tax certified by the county treasurer **does not include excise surtax and wheel tax**, so it will NOT be included on [Form 49TC](#).

Plus: Excise Tax Advance Total

The amount entered on this line is the excise tax amount advanced to taxing units since the last settlement. Each time excise tax was advanced a quietus should have been prepared and posted to the county treasurer's cashbook and the county auditor's funds ledger. On the county treasurer's cashbook, the quietus should have reduced the excise tax in the "Other Sources" section of the cashbook and increased the funds ledger amount in the "Funds Ledger" section of the cashbook. The excise tax certified by the county treasurer is the excise tax shown in the "Other Sources" section of the cashbook as of the certification date. This excise tax amount should have been reduced by the amount of the excise tax advances, but the excise tax included in the settlement by the county auditor is not reduced by the excise tax advances. This is why the excise tax advance amount is a county treasurer and county auditor excise tax reconciliation item.

Minus: Excise Distributed at Settlement.

The amount entered on this line is the total of column 8 (cell I141) of the [Form 49TC](#). The excise tax to be distributed is the excise tax determined by the county auditor as of the county auditor's cut-off date minus the excise tax allocation amounts and minus the amount (if any) deducted for watercraft excise tax refunds.

The county auditor's excise tax cut-off date is the “as of” date chosen by the county auditor to include excise tax in the settlement. For most counties the June settlement excise tax cut-off date is the end of March and the December settlement excise tax cut-off date is the end of September. The excise tax cut-off date can be another date as long as it is reasonable and is **consistent** from year to year.

The amount entered on this line must be entered as a positive amount.

Minus: Excise to be Distributed to County General Fund for Reimbursement of Watercraft Excise Tax Refunds.

The amount entered on this line is the amount deducted from excise tax for reimbursements of watercraft excise tax refunds paid from the county general fund. If a refund of watercraft excise tax is paid by the county, then the county should be reimbursed from excise tax at the next settlement. The reimbursements are accomplished by deducting the refund amount from the applicable taxing district excise tax amount. This deduction is to occur before the calculation of the excise tax allocation amounts. A quietus to the general fund equal to the refund deduction amount is prepared at the time settlement quietus are prepared. At the time settlement quietus are posted to the cashbook the excise refund quietus is posted against the excise tax in the Other Sources Section of the cashbook and reduces the excise tax in the Other Sources Section of the cashbook. The quietus is also posted to the Funds Ledger Section of the cashbook and increases the Funds Ledger Section of the cashbook.

The amount entered on this line must be entered as a positive amount.

Minus: Welfare and School Excise Tax Allocations.

The amount entered on this line is the “Remittance to State” amount from the [Excise Tax Allocation Worksheet](#) (cell C81)

Equals: Treasurer and Auditor Excise Tax Difference.

The worksheet calculates this line. The calculation is line 1 plus line 2, minus lines 3, 4, and 5. If this reconciliation worksheet is completed correctly, line 6 should rarely equal zero, as there is usually a timing difference between the excise tax certified by the county treasurer and the excise tax included in the settlement by the county auditor. A different amount on line 6 is acceptable, but lines 7 through 9 should account for the difference resulting in line 10 equaling zero.

Plus: Auditor of State Excise Tax Cut Replacement Distribution Included by County Auditor in Excise Tax, but Not Received by County Treasurer by County Treasurer Certification Date and Not Included in County Treasurer’s Certified Amount.

June-

If the county auditor's June settlement excise tax cut-off date is the end of March and the county auditor

included in the June settlement excise tax the AOS excise tax cut replacement distribution sent in April for the March excise tax cut and the county treasurer did not include in the excise tax certification the excise tax cut replacement distribution sent in April for the March excise tax cut, the April excise tax cut replacement distribution for the March excise tax cut is the amount shown on this line.

Minus: Excise Tax Received After the Auditor Cut-Off Date

The amount entered on this line is the excise tax received by the treasurer after the county auditor's cut-off date and is not included in the settlement by the county auditor, but is posted to the treasurer's cash book and included in the treasurer's certified excise tax amount.

June-

If the county auditor's June settlement excise tax cut-off date is the end of March and the treasurer receives deposits of April excise tax that are posted to the cash book and included in the certified excise tax amount, the April deposits are shown on this line.

Plus: Excise Tax Included by County Auditor in Excise Tax and is Excise Tax Received Within the County Auditor's Excise Tax Cut-off Date, but not Yet Posted to the County Treasurer's Cashbook and Not Included in the County Treasurer's Certified Amount.

June-

If the county auditor's June settlement excise tax cut-off date is the end of March and not all of the deposits of March excise tax are posted to the cash book and included in the certified excise tax amount, the un-posted and uncertified March excise tax amounts are shown on this line. This typically occurs when the treasurer only post branch excise tax to the cash book when the branch bank statement is received and the March bank statement received in April and posted in April did not included all of the March excise tax amounts.

It would be extremely rare to have an amount on line 8 and an amount on line 9.

Equals: Reconciled difference:

This line is calculated by the worksheet. The calculation is line 6 plus line 7 and 9, minus line 8. If this reconciliation worksheet is completed correctly and the county treasurer and county auditor excise tax accounting are in balance, then this line will equal zero.

If line 10 does not equal zero, first examine for accuracy the amounts entered to the reconciliation worksheet. If the amounts entered on the lines are correct, then the county treasurer and county auditor must work together to determine the source of the difference. If the source cannot be determined at the current settlement, then the source must be determined by the next settlement. If the source is not determined by the next settlement, then the unidentified difference must be allocated and distributed at that next settlement. The AOS has instructions on how to allocate and distribute an un-identified difference at a settlement.

line 10 equaling zero does not always indicate that the county treasurer's and county auditor's excise tax accounting is in balance as there may be unreasonable amounts entered on one or more lines of the reconciliation worksheet resulting in a zero dollar amount on line 10. The AOS reserves the right to reject the reconciliation worksheet on the basis that unreasonable amounts exist on one or more lines of the reconciliation worksheet.

Form 49TC

County Treasurer's Certificate of Tax Collections

The Form 49TC County Treasurer's Certificate of Tax Collections is completed by both county treasurers and county auditors. The purpose of the Form 49TC is for county treasurer's to calculate and report the certified tax collections and for county auditors to calculate and report the taxes to be apportioned and distributed.

For counties with property tax relief, the Form 49TC also calculates settlement of property tax relief.

The county treasurer will complete columns 1 through 4, and column 13.

In the **Property Tax Relief Amount** column (column 2), the county treasurer should certify the property tax relief amount, if applicable.

Total Property Tax for Distribution (column 3) is the total of columns 1 through 2.

In the **Add: License Excise Tax Collected** located below the total line of column 3 (cell D144) the county treasurer will certify the license excise tax collections from the county treasurer's cashbook at the time property tax collections are certified.

Other Collections items of Column 3 (cells B149 through B184) of the 49TC are completed as follows:

The county treasurer will list the following from the **Other Sources** section of the Cashbook: Demand Fees, Tax Sale Costs, Conservancy District collections, Civil Penalties, Business Personal Property Ordinance Fees, and Late Payment Penalty on Special Assessments collections on the designated lines of the form.

On the other available lines the county treasurer will certify other collections from the "Other Sources" section of the Cashbook as necessary within the county.

Examples of other collections may include:

1. Non-sufficient fund check fee collections
2. Sewer lien collections
3. Weed cutting lien collections
4. Line fencing lien collections
5. Storm water lien collections
6. Drainage or ditch collections
7. Any other certified collections to be distributed

In the **Excess (Surplus) Tax Column**, column 4, the county treasurer will certify surplus tax collections.

In the settlement of late payment penalties, column 13 of the 49TC the county treasurer will certify the amount by district of the late payment penalties on special assessments collected. The total of column 13 must agree with the amount reported in "Other Collections" in of the 49TC, column 3 (cells B149

through B184) for late payment penalties on special assessments collected.

The county auditor will need to know the late payment penalties on special assessments collected by taxing district as the auditor must make a before apportionment adjustment in each applicable taxing district. After the late payment penalties on special assessments collected are entered as a before apportionment adjustment, the tax system will include the late payment penalties in the apportionments.

The county auditor's part of the 49TC is completed as follows:

Column 5, Total Current and Delinquent Tax, Penalties and Interest Distributed

Column 5 should equal (i) column 1 of the Form 49TC adjusted for the total deductions before apportionment, which includes refunds to taxpayers (amounts on the Form 17TC), late payment penalties collected on special assessments, and other settlement adjustment amounts and (ii) **Net Tax Penalty and Interest** column of line 7 (**Net Property Tax for Apportionment**) of the [Form 102 Apportionment Sheet](#).

If the county treasurer included surplus tax collections in column 1 of the Form 49TC, column 4 will also be less than column 1 by the amount of the surplus tax collected.

Column 6, Property Tax Relief Amount Distribution

This amount equals the amount in the **Property Tax Relief Amount** column of line 7 (**Net Property Tax for Apportionment**) of the [Form 102 Apportionment Sheet](#) Section A.

Col. 7, Total Property Tax for Distribution

This amount equals the amount in the **Total** column of line 7 (**Net Tax for Apportionment**) of the [Form 102 Apportionment Sheet](#) Section A.

Column 7 of the Form 49TC also equals column 5 plus column 6 of the Form 49TC.

Col. 8, License Excise Tax Distributed

This amount equals the amount on line 8 (**License Excise Tax Apportionment**) of the [Form 102 Apportionment Sheet](#) Section A. The column 8 amount will be the Excise Tax amount after the State Welfare Excise Tax, Welfare Excise Tax, and School Excise Tax allocations have been deducted.

DO NOT include the State Welfare Excise Tax, Welfare Excise Tax, and School Excise Tax allocations in column 8, (**License Excise Tax Distributed**) of the Form 49TC.

Col. 9, Total Distributed

This amount equals the amount in the **Total** column of line 9 (**Total for Apportionment**), of the [Form 102 Apportionment Sheet](#) Section A.

Column 9 of the Form 49TC also equals column 7 plus column 8 of the Form 49TC.

Total Property Tax for Distribution (column 3) is the total of columns 1 through 2.

For the settlement of property tax relief (columns 10 through 11):

The settlement of property tax relief is self-calculated due to embedded formulas in the Form 49TC.

Columns 10 and 11 pull the property tax relief amounts reported by the county auditor (column 6) and the county treasurer (column 2)

The settlement of property tax relief is the difference of the amounts reported by the county auditor and county treasure (column 11)

If the property tax relief amount is positive: then a check must be written by the county auditor from the LIT PTR Fund to give the county treasurer the additional funding needed for the settlement.

If the property tax relief amount is negative: then a quietus without a check to the LIT PTR must be prepared to quietus the excess LIT PTR to the LIT PTR fund.

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Form 102 Apportionment Sheet

The Form 102 Apportionment Sheet (the “Form 102”) is completed for each taxing district in the county. The Form 102 is used to calculate the total funds available for apportionment (Section A) and the amount to be apportioned to each taxing unit in the county by fund. The [Form 105 Settlement Sheet](#) is the sum of all Form 102s in the county and serves as a summary of the Form 102.

Sections A, A-1 (December only), and Section B are very similar for both the Form 102 and [Form 105 Settlement Sheet](#).

Many counties have replaced Form 102 with worksheets generated from tax systems or have created Form 102s with spreadsheet software. Whether you use the State Board of Accounts prescribed Form 102, worksheets generated by your tax system, or an electronic spreadsheet created using spreadsheet software, the following instructions apply to the completion of the Form 102.

Section A

Line 2 - Property Tax

Net Tax, Penalty and Interest Column – Is the amount certified by the treasurer in column 1 of the Treasurer’s Certificate of Tax Collections Form 49TC. If the county treasurer has included surplus tax collections in column 1 of the Form 49TC, the amount on line 2 should be the column 1 amount of the Form 49TC less the surplus tax collections.

Property Tax Relief Amount Column – Is the amount certified by the treasurer in column 2 of the Treasurer’s Certificate of Tax Collections Form 49TC.

Total Column - The amount in the **Total** column is the total of the Net Tax Penalty & Interest column and the Property Tax Relief Amount column.

Line 4 - Less: Erroneous Tax, Penalties and Interest Refunded

Net Tax Penalty and Interest Column – Is the amount from the **Refunded to Taxpayer** column of the Certificate of Tax Refunds Form 17TC.

Property Tax Relief Amount Column – Is the amount from the **Total Tax Replacement Credit** column of the Certificate of Tax Refunds Form 17TC.

Total Column - The amount in the **Total** column is the total of the Net Tax Penalty & Interest column and the Property Tax Relief Amount column. This amount should also equal the Total Refund column of the 17TC.

Line 5 –Plus Late Payment Penalties on Unpaid Special Assessments

Line 5 is where the late payment penalties collected on unpaid special assessments is reported. The total reported on line 5 must agree with the total district amount reported in the special assessment penalties worksheet of the 49TC.

Special assessments include Sewer liens, weed liens, etc.

Total Column – The amount in the **Total** column is the same as the amount in the Net Tax Penalty & Interest column.

Line 6 - Other before Apportionment Adjustments

NOTE: The Form 102, Section A, line 6 is the amount of pre-apportionment adjustments to the settlement. Pre-apportionment adjustments may include corrections to prior settlements, ineligible homestead back taxes and civil penalties, or any other pre-apportionment adjustments deemed necessary.

Net Tax Penalty and Interest Column – Line 6 of the Section A of the Form 102 is amount of any pre-apportionment adjustments that need to be made.

Line 7 - Net Property Tax for Apportionment

Net Tax Penalty and Interest Column - Line 7 of Section A of the Form 102 is equal to line 2 plus line 4 plus line 5 plus 6. The **Net Tax Penalty and Interest** column amount on line 7 of Section A of the Form 102 is the amount to be entered in column 5, Total Current and Delinquent Tax, Penalties, and Interest Distributed, of the Treasurer's Certificate of Tax Collections Form 49TC.

Property Tax Relief Amount Column - Line 7 of Section A of the Form 102 is equal to line 2 plus line 4 plus 6. The **Property Tax Relief Amount** column on line 7 of Section A of the Form 102 is the amount to be entered in column 6, Property Tax Relief Amount Distributed, of the Treasurer's Certificate of Tax Collections Form 49TC.

Total - Line 7 of Section A of the Form 102 is equal to line 2 plus line 4 plus line 5 plus 6. The **Total** column amount on line 7 of Section A of the Form 102 is the amount of property tax to be apportioned in the June settlement and is the amount to be entered in column 7, Total Property Tax for Distribution, of the Treasurer's Certificate of Tax Collections Form 49TC.

Also, the total of the **Total Net Property Tax** column of **Section B** of the Form 102 **must agree** with the **Total** column on **line 7 of Section A** of the Form 102.

Line 8- License Excise Tax for Apportionment

Line 8 of Section A of the Form 102 is equal to the amount of excise tax apportioned in the June Settlement.

The amount on line 8 is the amount for column 8, License Excise Tax Distributed column of the Treasurer's Certificate of Tax Collections Form 49TC. Do not include SWETA, welfare excise tax, or school excise tax in column 8 of the 49TC. The excise tax apportioned is the excise tax after the deduction of the state welfare excise tax, the welfare excise tax, and school excise tax allocations. Worksheets and instructions for calculating the state welfare excise tax, the welfare excise tax and the school excise tax allocations were provided previously.

Do not include the state welfare excise tax, the welfare excise tax, or the school excise tax allocations on line 5 of the Form 102.

Also, do not include the state welfare excise tax, the welfare excise tax, or the school excise tax allocations in Section B of the Form 102.

The total of the **License Excise Tax** column of **Section B** of the Form 102 must agree with **TOTAL** column on **line 8 of Section A** of the Form 102.

Line 9- Total for Apportionment

Line 9 of Section A of the Form 102 is equal to line 7 plus line 8. The **Total** column of line 9 should agree with column 9 Total Distributed column of the Treasurer's Certificate of Tax Collections Form 49TC.

Section B

In Section B enter the apportionment of property tax and license excise tax. The amount of property tax apportioned will be the total of line 7 of Section A. The amount of license excise tax apportioned will be the total of line 8 of Section A. The section B total should agree with the section A, line 9 "Total Net Amount for Apportionment" total.

The property tax rates used to apportion property taxes are the property tax rates certified by the DLGF, except for taxing districts in counties where there are circuit breaker credit exempt referendum funds, protected debt funds, and for Lake and St. Joseph Circuit Breaker Credit Exempt Debt Service and Lease Rental Funds. In these taxing districts, adjusted distribution rates are used to calculate the distribution of property taxes.

The DLGF certified rates are adjusted to exempt the affected funds from the circuit breaker revenue loss. The adjusted distribution rates are calculated and available in Gateway Abstract.

The property tax rates used to apportion excise tax in counties that have adopted the Operating Levy Freeze LIT are the DLGF certified property tax rates plus the DLGF LIT equivalency rates. The property tax rates used to apportion excise tax in counties that have not adopted the Operating Levy Freeze LIT are the DLGF certified property tax rates.

If a TIF area exists in a taxing district, the amount of property tax that is to be distributed to the redevelopment commission **must be deducted before the apportionment of property taxes is calculated**. The amount of property tax to be deducted and distributed to the redevelopment commission will be the TIF taxes. The amount of property tax to be distributed to the redevelopment commission is entered as a fund amount at the bottom of Section B, line 105.

County auditors determine the amount of TIF dollars to distribute to a redevelopment commission by tracking payments. TIF payments must be tracked parcel by parcel and delinquencies must be shown separately on the TIF District line of the next year's Abstract.

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Form 105 Settlement Sheet

The Form 105 Settlement Sheet (the "Form 105") is an electronic spreadsheet provided by the AOS. The Form 105 is a summary of the Form 102, reporting the total taxes collected and apportioned for all taxing districts in the county.

The county auditor is required to complete the Form 105 and submit it to the AOS via the AOS FTP site. The Form 105 must be used for the official filing of the settlement. The Form 105 Settlement Sheet **must** balance completely. Forms that **do not balance** will be returned and the settlement will not be approved.

Section A

Section A represents the calculations for the county's total funds to be apportioned for all taxing districts. The amounts reported in Section A for property tax relief and license excise should tie back to the 49TC.

Section A-1 is only completed at December settlement.

Section B

Section B reports the amounts apportioned for property taxes (including property tax relief) and excise tax by taxing unit type.

The total of the **Total Net Property Tax** column in Section B of the Form 105 **must** agree with the total of line 7 of Section A of the Form 105.

The total of the **License Excise Tax** column in Section B of the Form 105 **must** agree with the total of line 7 of Section A of the Form 105. Excise tax allocation deduction amount money is not shown in Section A or Section B. The excise tax shown in Section A and Section B is after the SWETA, welfare and school excise tax allocation deduction.

Section C

Section C represents the fines and fees that are to be remitted to the AOS via electronic funds transfer (EFT) by the June 28, 2019 settlement deadline. The amounts reported in Section must be remitted to AOS prior to receiving final approval on settlement.

The amounts for Section C should agree with the county's funds ledger. **Do not** change the name of any of the funds listed in **Section C**. If you have an additional fine or fee due the State that is not listed, please write it in on a blank line.

If your settlement is not processed and approved by June 28th, the total funds ledger Section C: Fines and Fees amounts listed in Section C **must be remitted by June 28th**. The "Report to State Auditor of Settlement Fines and Fees Due State" form must be used to report the amounts.

NOTE: SWETA (state welfare excise tax allocation), welfare excise tax allocation and the school excise tax allocation ARE NOT listed in Section C.

The following fines and fees are included in Section C, but not limited to:

INFRACTION JUDGEMENT – [IC 34-28-5-5](#)

Funds collected by the Clerk of Courts as judgments for violations of statutes defining infractions, for violations of ordinances, or for pleading nolo contendere for a moving traffic violation are remitted on a monthly basis to the county auditor. The county auditor will remit the infraction judgment amounts to the state auditor's office each June and December.

OVERWEIGHT VEHICLE FINE - [IC 9-20-4](#)

Civil Penalties related to the transportation of a load on a registered and licensed vehicle or combination of vehicles in excess of the limit fixed in the application for registration. The fine is collected by the County Clerk and is remitted to the county auditor on a monthly basis. The county auditor will remit the fee to the state auditor's office each June and December.

SPECIAL DEATH BENEFIT - [IC 35-33-8-3.2](#)

A \$5.00 fee collected by either the Clerk of the Circuit Court and/or the County Sheriff, if authorized by the Clerk to accept bail bonds; surety bonds; deposit of cash or securities in an amount equal to the bail; bond secured by real estate in the county, where .33 of the true tax value less encumbrances is at least equal to the amount of the bail; and each real estate bond. The \$5.00 special death benefit fee should be retained by the Clerk or Sheriff when the defendant is required to execute a bail bond by depositing cash or securities in an amount not less than 10% of the bail and is not dependent on the outcome of the case. The Clerk and/or Sheriff shall remit the fees to the county auditor on a monthly basis. The county auditor will remit the death benefit fee to the state auditor's office each June and December. The state auditor's office receipts the special death benefit remittance into the appropriate fund of the Public Employee's Retirement Fund.

SALE DISCLOSURE FEE - [IC 6-1.1-5.5-4](#)

Before a conveyance document is filed with the county auditor a sales disclosure form must be filed. The information is used by the County Assessor to formulate trending factors based on sales information. There is a \$10 sales disclosure fee to be paid with the filing. \$5 of the \$10 fee shall be retained by the county for deposit in the County Sales Disclosure Fund. The other \$5 of the \$10 fee is sent to the AOS each June and December settlement. The county should have two sales disclosure funds, one for the county's share of the fee and the other fund for the state's share.

CORONER'S CONTINUING EDUCATION FEE - [IC 16-37-1-9](#)

A non-reverting State Coroners Training and Education Fund that requires if the local department of health is charging a fee for a Certificate of Death under IC 16-20-1-27, a two dollar and twenty-five cent (\$2.25) (after June 30, 2018, and before July 1, 2023) coroners' education fee must be added to this rate. The local health department shall deposit this fee with the county auditor monthly. The county auditor is to remit the money to the AOS each June and December.

ADULT & JUVENILE OFFENDER INTERSTATE COMPACT FEE - [IC 11-13-4.5-4](#)

This is a \$125.00 application fee charged to parolees and probationers who apply to leave the state. The parole fee is collected by the state department of corrections. The probationer fee is collected by County Probation Departments and/or County Clerks. The probationer fees are remitted monthly to the county auditor. 50% of the fees remitted to the county auditor are to be quietus to the County Offender Transportation Fund. The other 50% of the fees should be quietus to a separate fund called the Adult & Juvenile Offender Compact Fee Fund to be remitted to the AOS each June and December settlement.

MORTGAGE RECORDING FEE - [IC 24-9-9-3](#)

The County Recorder assesses a \$3 fee for each mortgage recorded. The fee is remitted to the county auditor on a monthly basis. \$0.50 of the fee is quietus to the County Recorder's Records Perpetuation Fund. The balance of \$2.50 is quietus to the Mortgage Fee Fund and is remitted to the AOS each June and December settlement.

CHILD RESTRAINT FINE - [IC 9-19-11](#)

Fine was established for violations of improper or non-existent child restraint systems in vehicles. The county, city and town court clerks collect the fines and should remit the fine to the county auditor on a monthly basis. The child restraint fines are remitted to the AOS with each June and December settlement.

CANINE RESEARCH AND EDUCATION FUND - [IC 6-9-39-7](#)

If a county fiscal body adopts a County Option Dog Tax, 20% of the collections are to be remitted to the AOS for deposit in the Canine Research and Education Fund. The other 80% is kept at the county for the uses designated by the fiscal body. The county auditor remits the 20% of the collections to the AOS each June and December settlement.

FOREST RESTORATION FUND- [IC 6-1.1-6-24](#)

For classified forest or wildlands property classified after June 30, 2006 and withdrawn after July 1, 2007 back taxes, interest, and withdrawal penalties are charged. The Department of Natural Resources (DNR) has a worksheet used for calculating the back taxes, interest and penalties.

The amounts of back taxes are charged as if the property had not been classified. The tax rates and PTRC rates to be used when calculating the back taxes are the tax rates and PTRC rates in effect for each year calculated. The back taxes are calculated for the lesser of 10 years or the years the property was classified. Interest is calculated for each year of back taxes charged at a rate of 10% per year.

There are also penalties that apply. The withdrawal penalties are \$100 per withdrawal plus \$50 per acre withdrawn. The back taxes, interest and penalties should be charged as a special assessment. The back taxes collected, interest and 25% of the withdrawal penalty are receipted to the county general fund. 75% of the withdrawal penalty is receipted into the Forest Restoration Fund and remitted to the state with the other fines and fees by June 28, 2019.

For classified forest or wildland properties classified prior to June 30, 2006 and are withdrawn back taxes, interest, and withdrawal penalties are charged. The DNR has a used for calculating the back taxes, interest and penalties.

The amounts of back taxes are charged as if the property had not been classified. The tax rates and PTRC rates to be used when calculating the back taxes are the tax rates and PTRC rates in effect for each year calculated. The back taxes are calculated for the lesser of 10 years or the years the property was classified. Interest is calculated for each year of back taxes charged at a rate of 10% per year.

There are no additional penalties that apply. The back taxes and interest should be charged as a special assessment. The back taxes and interest collected are receipted to the county general fund.

SEX/VIOLENT OFFENDER REGISTRATION FEE - [IC 36-2-13-5.6](#)

The legislative body of a county may adopt an ordinance requiring the local law enforcement authority to collect an annual Sex or Violent Offender Registration Fee and a Sex or Violent Offender Address Change Fee. If your county adopted either of these fees, 10% of any fees collected must be remitted to the State Sex and Violent Offender Fund per IC 36-2-13-5.6.

The local law enforcement authority shall transfer fees collected to the county auditor of the county. The amount collected is to be receipted into the County Sex and Violent Offender Administration Fund. Ninety percent of the fees remitted to the county auditor are receipted to the county sex or Violent Offender Administration Fund. At the time of semi-annual settlement 10% of the collections are to be remitted with other fines and fees to the AOS. The AOS will receipt the fees into the State Sex and Violent Offender Fund.

DLGF HOMESTEAD PROPERTY DATABASE FUND - [IC 6-1.1-12-37\(f\)](#)

If an individual's use of property changes so that part or all of the property no longer qualifies for a HSC and the individual fails to notify the county auditor within the 60 day notification required by IC 6-1.1-12-37(f), the individual is liable for the additional taxes resulting from the change in the HSC or the termination of the HSC. The individual is also liable for a 10% civil penalty on the additional taxes. The county auditor shall issue a notice to the individual including a statement the payment is due to the auditor within 30 days of the notice. If payment is made to the auditor within 30 days of the notice, the auditor shall quietus the additional tax amount collected and 99% of the 10% civil penalty amount collected to the County's Ineligible Deductions Fund. The balance of the civil penalty (1% of the 10% civil penalty) amount collected is quietus to the DLGF Homestead Property Database Fund.

If payment is not received by 30 days of the notice sent by the auditor, the additional tax and civil penalty are added to the tax duplicate for collection. When collected by the county treasurer, the tax amount and civil penalty amount are posted separately in the other sources of the cash book. At settlement the county treasurer will certify in the Other Collections Section of the [49TC](#) the Ineligible HSC Tax Collection amount and Civil Penalty amount. The collection amount of the ineligible HSC tax and 99% of the civil penalty collection amount is quietus to the county auditor's Ineligible Deductions Fund. The remaining 1% of the civil penalty collection amount is quietus to the DLGF Homestead Property Data Base Fund.

At each semi-annual settlement the balance of the DLGF Homestead Property Database Fund is remitted with other fines and fees to the AOS.

VIOLENT CRIME VICTIMS COMPENSATION FUND – [IC 11-10-8-6\(a\)](#)

The earnings of an offender employed in a work release program under this chapter, less payroll deductions required by law and court ordered deductions for satisfaction of a judgment against the offender shall be surrendered to the department or its designated representative. After the distribution of any state and federal income taxes and social security deductions not otherwise withheld and, if applicable, after the distribution of the cost of membership in an employee organization, ten percent (10%) of the offender's gross earnings are to be deposited in the Violent Crime Victim's Compensation Fund established by IC 5-2-6.1-40. IC.11-10-8-6(a) also addresses the handling of the balance of the earnings of an offender.

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Quietus Worksheet

The AOS provides a Quietus worksheet to assist the county auditor and county treasurer with the final steps of the property and excise tax settlement.

Quietus Summary

You will only enter the county name and the settlement period.

Where the words “ENTER COUNTY NAME HERE” appears in blue (cell A4), enter the county name.

Where the words “ENTER TAX YEAR HERE” appears in blue (cell E4), enter the year of the settlement.

The County Name and Tax Year will be automatically updated on each worksheet in the workbook.

The worksheet will automatically insert the totals of the property tax quietus, the excise tax quietus, and the additional settlement quietus and provide the total transfer by quietus. This total should be the same amount the county treasurer shows as the total transferred by quietus on the cashbook.

Property Tax Worksheet

In the first column, list all of the funds. The worksheet has several funds already listed. The cells are unprotected to enable the user to enter the funds pertaining to their county distribution. The funds listed must be the same as the funds listed in Section B of the [Form 105 Settlement Sheet](#).

The second column, **Gross Property Tax for Distribution**, enter the fund amounts for property tax from Section B of the [Form 105 Settlement Sheet](#). The total of this column must be exactly the same as the Section B [Form 105 Settlement Sheet](#) property tax column total. The total of this column must agree with the gross property tax total of all Form 22 Certificates of Tax Distribution.

In the third column, **Less Property Tax Advances**, enter the property tax advance amounts as a negative number on the quietus worksheet. You should have previously verified the property tax advance amounts with the county treasurer. Also, the total of this column plus the total of the excise tax advances must agree with the tax advance total of all Form 22 Certificates of Tax Distribution.

In the fourth column, **Less Exam of Records**, enter the exam of records amounts the county paid to the State Board of Accounts for taxing unit’s examination of records. Enter this as a negative number on the quietus worksheet. Also, the total of this column must agree with the exam of records total of all Form 22 Certificates of Tax Distribution.

The fifth column, **Net Property Tax Distribution**, is the Gross Property Tax for Distribution less the property tax advances, less the exam of records. A formula calculates this total.

Excise Tax Worksheet

The fund names will be carried over from the [Property Tax Worksheet](#).

In the second column, **Gross Excise Tax for Distribution**, enter the Excise Tax from Section B of the [Form 105 Settlement Sheet](#). The total of this column must agree with Section B of [Form 105 Settlement](#)

[Sheet](#) excise tax total. Similarly, the total of this column must agree with the gross excise tax total of all Form 22 Certificates of Tax Distribution.

In the third column, **Excise Tax Advance**, enter the excise tax advance amounts as a negative number on the quietus worksheet. This should agree with the excise tax advance amounts the treasurer certified. The total of this column plus the total of the property tax advances must agree with the tax advance total of all Form 22 Certificates of Tax Distribution.

The fourth column is the **Net Excise Tax for Distribution**. This is the sum of the gross excise tax for distribution less the excise tax advances. A formula embedded in the worksheet calculates this total for you.

Scroll further down to enter the Excise Tax Allocation Deduction Amount. The Excise Tax Allocation Deduction amount is listed in the “Remittance to State” row of the [Excise Tax Allocation Worksheet](#).

The “Total Excise Tax Quietus” is calculated by the worksheet.

Additional Property Tax Quietus

Overpayments from Overpayment Listing & [Form 49TC](#) Column 1 Reconciliation (if applicable)

Only enter data in this cell if your county treasurer included overpayments with collections in column 1 of the [Form 49TC](#). If applicable, you will quietus this amount to the surplus tax fund. Overpayments are rarely included in column 1 of the [Form 49TC](#). This amount will be quietus to the Surplus Tax fund.

NSF Checks or, if applicable, other settlement adjustments from Line 41 of the Form 105

If the line 6 amount is a NSF check deduction, enter on this line the NSF check amount. If applicable, this amount will be quietus to the corresponding fund.

If the settlement sheet, line 6 amount is something other than an NSF check deduction and a quietus is applicable to the line 6 amount then enter the line 46 amount on the Quietus worksheet.

If the settlement sheet line 6 amount is something other than an NSF check deduction and a quietus is **not** applicable to the line 6 amount then do not enter the line 41 amount on this line.

Tax Refund (The amount should be the same as the Amount Refunded to Taxpayer Total of the [Form 17TC](#) and the Net Tax, Penalty, and Interest Column of the Refund Line of the [Form 105 Settlement Sheet](#))

Enter the amount from the [Form 105 Settlement Sheet](#), the Net Tax, Penalty and Interest column of the [Form 105 Settlement Sheet](#). This amount must agree with the Amount Refunded to Taxpayer Total of the [Form 17TC](#). Quietus this amount to the County General fund.

Exam of Records from above and the Form 22

Enter the examination of records amount subtracted from the distribution to the taxing units. This amount must agree with the amount for examination of records listed in the upper portion of the quietus worksheet. Quietus this amount to the County General fund.

Balance of Property Tax Relief if the total amount of column 12 of the [Form 49TC](#) is a negative amount

Enter the total amount of column 12 of the [Form 49TC](#), if the amount is negative. This should match the Property Tax Relief Amount Total of the [Form 17TC](#).

Total Additional Property Tax Quietus

This is the total of the additional property tax quietus. The quietus worksheet calculates this total.

Total Property Tax Quietus (Net Property Tax for Distribution plus Additional Property Tax Quietus)

This is total of the net property tax for distribution in the upper section of the quietus worksheet plus the additional property tax quietus. The Quietus Worksheet calculates this total.

Treasurer's Cash (Property Tax)

Treasurer's Property Tax at Certification

Enter the property tax total of column 3 of the [Form 49TC](#).

Less: Total Property Tax Advance Amount

Enter the property tax advance amounts on this line as a negative amount. The amount entered does not include excise tax advances. This should agree with the property tax advance amounts the county auditor certified.

Plus: Late Payment Penalty on Special Assessments to be distributed

Enter the late payment penalties on special assessments that were collected. This total should agree with the total amount of column 13 of the [Form 49TC](#).

Equals: Net Property Tax at Certification

This is the result of subtracting the total property tax advance amount from the county treasurer's property tax at certification. The worksheet will calculate this amount for you.

Plus: Balance of Property Tax Relief if the total amount of column 12 of the [Form 49TC](#) is a positive amount

Enter the total amount of column 12 of the [Form 49TC](#), if the amount is positive. This should match the Property Tax Relief Amount Total of the [Form 17TC](#).

Note: If the total amount of column 12 of the Form 49TC is positive, this indicates the county treasurer will need additional monies from the PTR fund for settlement.

Total Treasurer's Cash Available for Settlement

This is the total of the Net Property Tax at certification plus all of the additional settlement credit amounts as applicable. The worksheet calculates this total.

Auditor's Total Property Tax Quietus

An embedded formula pulls this amount from the property tax worksheet.

Balance Proof: Total Property Tax Quietus minus Treasurer's Cash Available for Settlement

This is the total of the quietus for property taxes less the amount on the cashbook after adjustments for additional settlement credit amounts (as applicable). The result of this calculation should be zero. The worksheet calculates this proof. If the result is not zero, review all entries to be certain there were no data entry errors. The county auditor and the county treasurer are only in balance when the quietus worksheet is equal to zero.

Additional Settlement Quietus

In this section, the other types of collections that need to be quietus and possibly distributed with settlement are entered. This may include surplus Tax, Demand Fees, Tax Sale Costs, Conservancy District Collections, Sewer Liens, Weed Mowing Liens, Ineligible HSC Additional Tax, 99% Civil Penalty, and Ineligible HSC 1% Civil Penalty. There are additional lines available to list any of the additional collections to be distributed with settlement.

Note: This does not include Late Payment Penalties on Special Assessments

At the bottom of the Additional Settlement Quietus is a cell for the “Total Additional Quietus”. This is the total of the additional settlement quietus figures listed. The worksheet calculates this total.